

**DECISION**

**THE COMPTROLLER GENERAL  
OF THE UNITED STATES**  
WASHINGTON, D.C. 20548

26304

**FILE:** B-213030**DATE:** September 21, 1983**MATTER OF:** AMEDCO Health Care**DIGEST:**

GAO does not review affirmative determinations of responsibility except in limited circumstances not present here. Fact that firm is in bankruptcy proceedings does not necessitate a finding of nonresponsibility.

AMEDCO Health Care (AMEDCO) protests any award to either of the two low bidders under solicitation No. DLA 120-83-R-0717 issued by the Defense Logistics Agency. AMEDCO alleges that the two firms have filed for bankruptcy and that their financial situation will adversely affect their ability to meet the requirements of the contract. We dismiss the protest.

A low bidder's ability to meet contract requirements is a matter of responsibility, which must be determined by the contracting officer prior to award. We do not review affirmative determinations of responsibility except in limited circumstances not present here. Morse Diving Equipment Company, Inc., B-210025, January 11, 1983, 83-1 CPD 28. We point out, however, that a firm need not be found nonresponsible merely because it is undergoing bankruptcy proceedings. Mid America Movers, Inc., B-201740, February 9, 1981, 81-1 CPD 84.

The protest is dismissed.

*Harry R. Van Cleve*  
Harry R. Van Cleve  
Acting General Counsel

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